

ARTICLE 1731

Inspections

- 1731.01 Inspections Required.
- 1731.02 Fees.
- 1731.03 Registration.
- 1731.99 Violations and penalty.

1731.01 INSPECTIONS REQUIRED.

- (a) All properties being offered for sale shall be inspected under Article 119 titled Registration, Sale and Transfer of Real Estate and be subject to Section 119.07 titled Rules and Regulations where applicable.
- (b) All residential rental properties shall be inspected for purposes of ascertaining compliance with City codes each time the dwelling becomes vacant after one year of occupancy and use.

Possession by the owner of a renewed certificate of occupancy is required to maintain occupancy and use of a dwelling unit.

The Department of Community and Economic Development shall establish rules and regulations to implement this requirement and violations of such rules and regulations shall be deemed a violation of this ordinance. The rules and regulations shall be as follows:

- a) Where such properties are intended to be demolished and a valid demolition permit conforming to the Building Code of the City of Bethlehem has been obtained, the provisions set forth in this Article shall not be applicable.
- b) When such properties are being refinanced by the current owner, the certificate set forth in this Article shall not be required.
- c) "Agreement of Sale" means any agreement or written statement which provides the title to any property shall therefore be transferred from one owner to

another owner. Additionally, written leases which provide that the lessee of the property acquire title after a predetermined number of payments or a predetermined period of time, the Certificate set forth in this Article shall be required.

- d) The Certificate of Occupancy report shall be valid for one (1) year from the date of the original inspection or until such time as the property has become vacant or sold whichever time period is greater.
- e) Where the inspection is incident to the property being sold or leased, the Department of Community and Economic Development will not be responsible for violations that occur between the inspection and settlement date and/or rental period.

Failure and/or refusal by the owner or his/her designated agent to secure the necessary certificate of occupancy, or failure and/or refusal to provide access for inspection upon reasonable notice shall also be deemed a violation of this ordinance. (Ord. 3415 - Passed 4/2/91; Ord. 3646 - Passed 11/1/94.)

1731.02 FEES.

Fees for inspections shall be assessed against property owners and shall be determined as follows:

- (a) Inspections made pursuant to the requirements of Article 119 to be paid by the owner:
 - \$ 75.00 per dwelling unit
 - \$125.00 per commercial unit
- (b) Inspections of rental properties under 1731.01(b) above:
 - \$ 35.00 per dwelling unit
- (c) Reinspections to verify correction of violations, second or additional reinspections:
 - \$ 20.00 per reinspection
- (d) For each commercial rental property containing 2,000 sq. ft. or less of floor area, the fee shall be \$35.00. For each commercial rental property containing more than 2,000 sq. ft. the fee shall be \$50.00. The owner/operator of a commercial rental property must

acquire a Certificate of Occupancy each time that rental property space is vacant.

All inspection fees shall be paid prior to the inspection regardless of the number of units. Failure to pay inspection fees shall be deemed a failure and/or refusal to comply with the provisions contained herein, and will be subject to the penalty contained in 1731.99. (Ord. 3646 - Passed 11/1/94.)

1731.03 REGISTRATION.

(a) All property owners who have housing rental units in the City of Bethlehem shall be required to have the units registered with the Bureau of Inspections of the Department of Community and Economic Development.

(b) The registration form shall list the name, address and telephone number of the property owner, the location of the rental property, and the number of units that are provided.

(c) Failure to register the units with the Bureau of Inspections within ninety days from the date of the passage of the Ordinance or within thirty days following the purchase or conversion of a structure to a rental property shall constitute a violation of this ordinance. (Ord. 3546. Passed 4/20/93.)

1731.99 PENALTY.

Any person, firm or corporation which violates the provisions of this Article shall be subject to the following penalties:

(a) First violation - A fine of \$200.00, or thirty days imprisonment, or both;

(b) Second violation - A fine of \$500.00, or sixty days imprisonment, or both;

(c) Third and each subsequent violation - A fine of \$1,000.00 or ninety days imprisonment, or both.

(Ord. 3290-Passed 10/17/89.)